

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

TRINITY TANK CAR, INC., a Delaware
Corporation, TRINITYRAIL MAINTENANCE
SERVICES, INC., a Delaware corporation, and
TRINITY INDUSTRIES LEASING
COMPANY, a Delaware corporation,

Plaintiffs,

v.

DAVIS-FROST, INC., a Minnesota
corporation,

Defendant.

Civil Action No.: 6:22-cv-22-NKM

**CONSENT MOTION FOR MODIFICATION OF EXPERT DISCLOSURE
DEADLINES PROVIDED BY THE JUNE 15, 2022 PRETRIAL ORDER**

COMES NOW Defendant Davis-Frost, Inc. (“Davis-Frost”), by counsel, and for its Consent Motion for Modification of Expert Disclosure Deadlines Provided by the June 15, 2022 Pretrial Order (“Consent Motion”), states as follows:

1. On June 24, 2022, counsel for the parties met for a Rule 26(f) conference. At the conference, the parties mutually agreed that it would be beneficial to extend the expert disclosure deadlines beyond those provided in the Court’s June 15, 2022 Pretrial Order to allow for additional factual discovery to take place in advance of expert discovery.

2. The parties have agreed that they believe it would be beneficial for Plaintiffs’ initial expert disclosure deadline to be September 16, 2022, and for Davis-Frost’s initial expert disclosure deadline to be October 28, 2022.

3. The parties had additional discussions at the Rule 26(f) conference, and intend to set forth additional proposals in an agreed written plan that satisfies the requirements of Rule 26(f),

which the parties are now in the process of drafting. However, given the Court's instruction in the June 15, 2022 Pretrial Order that if no party requests changes thereto within 10 days, then the June 15, 2022 Pretrial Order will become the scheduling order of the case, the parties believe that the best course is to move now for the extension of expert disclosure deadlines which are set forth in paragraph 2 of this Consent Motion.

WHEREFORE, Davis-Frost, Inc. prays that its Consent Motion for Modification of Expert Disclosure Deadlines Provided by the June 15, 2022 Pretrial Order be granted, that the parties' expert disclosure deadlines be extended to September 16, 2022 and October 28, 2022 respectively as set forth herein, and for all other such relief as the Court deems just and proper.

Respectfully submitted,

DAVIS-FROST, INC.

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CERTIFICATE OF SERVICE

I certify that on this 27th day of June, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will generate of Notice of Electronic Filing (NEF) effecting service on all counsel of record.

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